

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: KENNETH A. DIXON and : CIVIL ACTION
VALERIE D. DIXON, :
Debtors and Appellants :
: No. 09-1451
: (Bankruptcy No. 08-10510)

MEMORANDUM

Fullam, Sr. J.

June 24, 2009

Before the Court is the appeal of Kenneth and Valerie Dixon from a decision of the Bankruptcy Court denying a motion for reconsideration of an earlier order which dismissed the debtors' Chapter 13 bankruptcy proceeding.

The bankruptcy judge did not abuse her discretion in finding that Mr. Dixon had played "fast and loose" with the Bankruptcy Court in listing and valuing the assets of the estate. The record supports the conclusion, based upon the totality of the circumstances, that the debtors had not been forthcoming with the Bankruptcy Court and the creditors. In re Lilley, 91 F.3d 491, 496 (3d Cir. 1996). Good cause existing for the dismissal, the decision will be affirmed.

An order will be entered.

BY THE COURT:

/s/ John P. Fullam
John P. Fullam, Sr. J.